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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/432,113 11/02/99 SAITOU

N 826.1570/JDH

EXAMINER

TM02/0705

STAAS & HALSEY
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SUITE 500
WASHINGTON DC

HARRISON, C.

ART UNIT

PAPER NUMBER

2672

DATE MAILED:

07/05/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/432,113	Applicant(s) SAITOU, NOBUHIRO	
	Examiner Chante Harrison	Art Unit 2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 01 November 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- | | |
|---|--|
| 15) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 16) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> | 20) <input type="checkbox"/> Other: |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-5 and 7-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Mahesh Prakriya et al., U.S. Patent 6,154,220, 11/2000, 345/440.

As per independent claim 1, Prakriya discloses displaying a first and second object connected with a first connector (FIG. 3), creating both a second connector to connect the first and third object and a third connector connecting the third and second objects when a third object is in a predetermined position relative to the first connector (col. 13, ll. 25 et seq.; col. 14, ll. 25 et seq.; col. 16, ll. 20 et seq.; col. 17, ll. 34 et seq.).

As per dependent claim 2, Prakriya discloses creating the second and third connectors when the first connector and the third object overlap (col. 17, ll. 24-50).

As per dependent claim 3, Prakriya discloses judging whether a distance between the first and second objects will accommodate a third object and shifting one of the objects if the distance is insufficient (col. 16, ll. 1-21).

As per dependent claim 4, Prakriya discloses making the third object depend from the first and the second depend from the third if the second object depended from the first before the third object was inserted (col. 10, ll. 5-17).

As per independent claim 5, Prakriya discloses creating new connectors when the first connector is selected (col. 18, ll. 22 et seq.; col. 16, ll. 20-30). The rejection as applied to independent claim 1 is included herein.

As per dependent claim 7, Prakriya discloses a virtual coordinate system in which each box displaying one object (FIG. 4) and displaying each object in the coordinate system and locating each object using the coordinate system (col. 11, ll. 53 et seq.).

As per independent claim 8, Prakriya discloses displaying a plurality of second object connected to the first object (FIG. 4 & 6b). The rejection as applied to claim 1 is included herein.

As per independent claim 9, Prakriya discloses a method implemented in the apparatus of claim 1. Therefore the rejection as applied to claim 1 is included herein.

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As per independent claim 10, Prakriya discloses a method implemented in the apparatus of claim 5. Therefore the rejection as applied to independent claim 5 is included herein.

As per independent claim 11, Prakriya discloses a medium (FIG. 1 '36'; col. 4, ll. 25 et seq.) for implementing the method of claim 9. Therefore the rejection as applied to claim 9 is included herein.

As per independent claim 12, Prakriya discloses a medium (FIG. 1 '36'; col. 4, ll. 25 et seq.) for implementing the method of claim 10. Therefore the rejection as applied to claim 10 is included herein.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mahesh Prakriya et al., U.S. Patent 6,154,220, 11/2000, 345/440.

As per dependent claim 6, Prakriya discloses shifting the second object and displaying the third in a position where the second was displayed (col. 15, ll. 30-45; col. 16, ll. 8-12, 20-45). Although Prakriya fails to disclose performing this step before the first connector was selected, it would have been obvious to one of skill in the art to use his disclosure because he determines the layout of the graph before he connects the objects (col. 14, ll. 25-30).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chante Harrison whose telephone number is 703-305-3937. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 703-305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-6606 for regular communications and 703-305-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

ceh
June 28, 2001



MATTHEW LUU
PRIMARY EXAMINER